

REMARKS

Examiner Huson is thanked for the careful consideration she has given the present patent application. Also, the Examiner is thanked for withdrawing the previous rejections of record. With respect to the rejections contained in the outstanding Office Action, these are not well founded, and applicants respectfully traverse same.

The principal reference is Nakatsuka, U.S. Patent 4,076,846. The teachings of this reference are remote from those of the present application. Nakatsuka teaches to prepare a starch/protein binary composition, which is said to be useful for the preparation of shaped molded articles. The molded article is said to be extruded, but it is not seen where Nakatsuka teaches to extrude under the conditions specified in the claims of the present application. Certain conditions are provided by Nakatsuka at Col. 9, lines 35-46, but this portion of the specification provides general teachings, not the conditions claimed.

Nor is it clear that Nakatsuka discloses a *cold-water* soluble extruded starch. Nakatsuka does not specify the temperature at which water solubility is intended. Certain examples (none of which refer to a hydroxyalkyl starch) purports to disclose solubility data at temperatures below 30° C, but the extent of solubility is unclear (i.e., the data does not specify how much of the molded composition is soluble). *See* also Col. 10, lines 36-56, which specify that the cold-water solubility of the starch/protein can be reduced to various degrees by adding a coagulating agent (and thereby suggesting that the solubility of an unmodified product is less than 100%). Finally, it is unclear whether Nakatsuka discloses a starch product at all. *See* Col. 6, lines 34-47 (referring to a chemical modification of the starch).

Nakatsuka thus is of remote relevance to the claims of the present application. Nonetheless, even if these deficiencies of Nakatsuka could somehow be overlooked, the rejections set forth in the Office Action would still be improper. The Redding reference (5,455,342) is not fairly combinable with Nakatsuka. Nakatsuka is concerned with providing a starch that is heavily modified, perhaps to the extent of the loss of the starch structure. Redding, on the other hand teaches that chemical starch modification is undesirable (see Col. 2, line 39 et seq.). Redding states as an object "to provide a cost effective and an energy efficient method of physical modification of starch and other substrates without the necessity of chemical additives required by prior art processes." According to the subject matter purportedly taught by Redding,

instead of a chemical modification, the starch is subjected to an abrupt pressure change by using a piston-type apparatus. These teachings of Redding are contradictory to those of Nakatsuka, and only in hindsight can the combination of Nakatsuka with Redding be made.

Altieri and Protzman (U.S. 5,849,233 and 3,173,592) likewise fail to support the rejection. As pointed out in the previous response to last Office Action, these references are deficient.

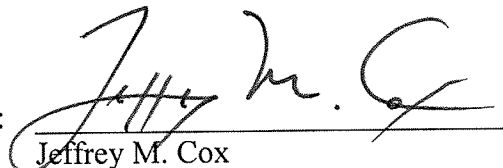
The rejection of claim 33 and those claims that depend therefrom over Nakatsuka is particularly lacking in merit. In the Office Action, reference is made to Col. 11 of Nakatsuka, but in the cited portion of this reference, Nakatsuka teaches that the specified shape article is useful as *packaging material*. The limitations of claim 33 to the effect that seasoning is adhered to a food substrate is not seen in Nakatsuka.

Ultimately, some of the limitations of the claims may be found in one or more of the cited references, but the body of prior art cited by the examiner cannot support the claim rejections. For the reasons stated above, withdrawal of the final rejection is respectfully solicited.

Respectfully submitted,

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